UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,818	02/08/2001	Edlis Ofir	P-3309-US	7716

27130 7590 09/22/2005	EXAMINER
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020	GHULAMALI, QUTBUDDIN

ART UNIT	PAPER NUMBER
2637	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/778,818	OFIR ET AL.
	Examiner	Art Unit	
	Qutub Ghulamali	2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 10-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 10-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *6/30/05*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 06/30/2005 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1, 10, 15 have been considered but are moot

in view of the new ground(s) of rejection.

The rejection (s) based on newly found art follows:

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1, 10 and 15 rejected under 35 U.S.C. 102(e) as being anticipated by Tsern et al

(USP 6,263,448).

Regarding claims 1, 10 and 15, Tsern, discloses a system wherein method comprises:

performing processing operations at a first clock rate during at least part of a first time period in

which signals are received and stored by a Radio Frequency module (col. 1; lines 30-34, 40-51);

and

performing background processing of at least a portion of said received signals at a second, faster

clock rate during at least part of a second time period in which said Radio Frequency module is

de-activated (col. 4, lines 16-52, 58-67; col. 5, lines 6-15, 25-34, 61-67; col. 6, lines 60-67).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 3-8, 11, 13, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Tsern et al (USP 6,263,448) in view of Challa et al (US Patent 6,453,181).

As per claim 3, Tsern discloses all limitations of the claim except Tsern, does not

explicitly show use of CDMA processing of signals in wireless communication system. Challa,

however, in a similar filed of endeavor discloses use of CDMA processing of signals in wireless

communication system (col. 1, lines 15-25). It would have been obvious to a person of ordinary

skill in the art at the time the invention was made to use CDMA processing of signals in wireless

communication system as taught by Challa in the system of Tsern so as to make use of the

techniques offered by CDMA slotted paging among communicating stations that helps in

conserving power in transmission of signals.

Regarding claim 4, Tsern discloses all limitations of the claim above. Tsern however,

does not explicitly show at least one of synchronizing pseudorandom noise (PN) offset of said

received signals, searching for at least one neighboring communications cell and searching for at

least one candidate communications cell. Challa, in a similar field of endeavor discloses

performing at least one of synchronizing pseudorandom noise (PN) offset of said received

signals, searching for at least one neighboring communications cell and searching for at least one

candidate communications cell (col. 3, lines 7-10; col. 4, lines 46-59; col. 9, lines 17-25). It

would have been obvious to a person of ordinary skill in the art at the time the invention was

made to use synchronizing pseudorandom noise (PN) offset of said received signals, searching

for at least one neighboring communications cell as taught by Challa in the system of Tsern

because the use of synchronization cell search can reliably track the elapsed time even during the

wake or sleep cycle.

As per claim 5, Tsern discloses all limitations of the claim above except, does not

explicitly disclose detecting a current pseudorandom noise (PN) offset of said received signals,

and, if different from a previous PN offset, shifting to the current PN offset. Challa in a similar

field of endeavor further discloses detecting a current pseudorandom noise (PN) offset in said

received signals, and, if different from a previous PN offset, shifting to the current PN offset

(col. 2, lines 37-46). It would have been obvious to a person of ordinary skill in the art at the

time the invention was made to use pseudorandom noise (PN) offset in said received signals,

and, if different from a previous PN offset, shifting to the current PN offset taught by Challa in

the system of Tsern because the use offset in communication of signals can allow precise time

correlation of signals and increases timing accuracy.

Regarding claim 6, Tsern discloses all limitations of the claim above except, does not

explicitly disclose receiving a carrier during at least part of said second time period. Challa,

however, in a similar field of endeavor discloses receiving a carrier during at least part of said

second time period (col. 2, lines 37-48). It would have been obvious to a person of ordinary skill

in the art at the time the invention was made to use synchronizing pseudorandom noise (PN)

offset of said received signals, searching for at least one neighboring communications cell as

taught by Challa in the system of Tsern because the use offset in communication of signals can

allow precise time correlation of signals and increases timing accuracy.

With reference to claim 7, Tsern discloses all limitations of the claim above except, does

not explicitly disclose receiving signal at least one wake period of a slotted mode. Challa, in a

similar field of endeavor discloses receiving a carrier during at least one wake period of a slotted

mode mode (col. 2, lines 33-46). It would have been obvious to a person of ordinary skill in the

art at the time the invention was made to have at least one wake period of a slotted mode as

taught by Challa in the system of Tsern because it can provide dynamic operation during paging

modes.

As per claim 8, Tsern discloses all limitations of the claim above except, does not

explicitly disclose reducing the power consumed during said at least one wake period after

receiving said received signals. Challa, in a similar field of endeavor discloses reducing the

power consumed during said at least one wake period after receiving said received signals (col.

2, lines 17-40; col. 3, lines 1-10). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to reduce power consumed during said at least one wake period after receiving said received signals as taught by Challa in the system of Tsern because it can minimize and conserve the use of power.

Regarding claims 11, 13, 16 and 18, Tsern discloses all limitations of the claim above except, does not explicitly disclose a memory device adapted for storing therein said portion of received signals, and said processor comprises a digital processing unit, wherein said memory device is adapted to input said portion of received signals to said digital processing unit. Challa, in a similar field of endeavor discloses a memory device adapted for storing therein said portion of received signals adapted to input said portion of received signals to said digital processing unit (col. 6, lines 9-23; col. 10, lines 12-38). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to make use of the memory device for storing signals during operation as taught by Challa in the system of Tsern because it can minimize and conserve the use of power.

7.   Claim 2, is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsern et al (USP 6,263,448) in view of Butler (US Patent 6,584,313).

Regarding claim 2, Tsern discloses every feature of the claimed invention, but is silent regarding background process operation comprise processing spread spectrum signals. Butler in a similar field of endeavor discloses offline page of monitoring signals as background process operation (scheduled communication) in a spread spectrum communication environment within a CDMA system. Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have signal processing in the background in a multiple access

communication system as taught by Butler in the system of Tsern so as to permit spread of

information and at the same time conserve power by processing page messages in the

background (col. 1, lines 14-24; col. 3, lines 58-67; col. 4, lines 1-9).

8.   Claims 12 and 17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsern

et al (USP 6,263,448) in view Sih et al (US Patent 6,608,858).

Regarding claims 12 and 17, Tsern discloses all limitations of claims 10, 15 highlighted

above. Tsern though discloses appropriate memory registers for storing said portion of received

signals, Tsern, however, does not explicitly disclose a rake and search engine, wherein said

memory device is adapted to input portion of received signals to said rake receiver and search

engine. Sih in a similar field of endeavor discloses a rake receiver and searcher engine

(searchers), adapted to input portion of received signals to said rake receiver and search engine

(searchers) (col. 3, lines 1-14; col. 4, lines 45-67). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to use rake receiver with searchers

for inputting portion of received signals from memory as taught by Sih in the system of Tsern so

as to improve frequency tracking loop and reduce timing errors (col. 11, lines 27-29).

As per claims 14 and 19, Tsern further discloses sampling adapted to receive portion of

received signals and to input portion of received signals to memory device (col. 1, lines 31-46;

col. 3, lines 41-64).

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

US Patents:

Peek et al (USP 3,806,663) shows a radiotelephone subscriber unit transmitting radio frequency

signals during radio link-up and various provisions for minimizing power drain on battery.

Shohara et al (USP 6,804,503) discloses communication device with self-calibrating sleep timer.
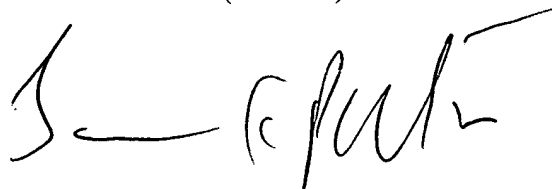
10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014.

The examiner can normally be reached on Monday-Friday from 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.
September 15, 2005.

JAY K. PATEL
SUPERVISORY PATENT EXAMINER